

# EMPLOYEE'S RIGHTS AND OBLIGATIONS

## District of Columbia Workers' Compensation Law

- You are required by law to promptly report your injury by filing DCWC Form 7, employee's Notice of Accidental Injury or Occupational Disease, with your employer and the Office of Workers' Compensation within 30 days of the date of injury or the date you have knowledge that the injury is related to your job.
- In order to preserve your right to workers' compensation benefits under the law, you must file a written claim on DCWC Form 7a, Employee's Claim Application, within 1 year after your injury, or within 1 year after the last payment of benefits. Benefits include indemnity payments for lost wages, medical services and treatment, and vocational rehabilitation.
- Failure to properly file the Notice of Accidental Injury or Occupational Disease, DCWC Form 7 or the Employee's Claim Application DCWC, Form 7a, may bar your right to future compensation. Copies of these forms and other pertinent information are available on the Department of Employment Services, Office of Workers' Compensation's web site. The web site address is listed below.
- You may not sue your employer as a result of a work-related injury or disease, the Workers' Compensation law is your exclusive remedy.
- You have the right to choose a treating physician. Once you choose a treating physician you may not change physicians unless you get approval from your employer's insurance company or the Office Of Worker's Compensation. The medical treatment includes medical services, supplies, prosthetic devices, and prescriptions. The medical services include treatment by a dentist, osteopath, podiatrist and chiropractor.
- Compensation is not paid for the first 3 days of disability unless the disability exceeds 14 days. Compensation is paid at the rate of 66 ⅔% of your average weekly wage. Unless your employer controverts your right to compensation within 14 days after he has knowledge of the injury, the 1<sup>st</sup> installment of compensation becomes due on the 14<sup>th</sup> day and must be paid within 14 days after it is due.
- You have the right to request an informal conference or a formal hearing on disputes arising on matters regarding your claim and you have the right to be represented by an attorney or other representative if you so desire.
- You may be entitled to vocational rehabilitation services if you are unable to return to the job you had prior to the injury.
- For injuries occurring on or after 4/16/99, temporary partial or permanent partial disability benefits will be limited to 500 weeks. Within 60 days of the expiration date, the claimant may petition for an extension of benefits up to 167 weeks beyond the 500-week cap.
- Your employer is required to advise you of your rights and obligations under the Workers' Compensation law and if you need further information, you may call the Office of Workers' Compensation on **(202) 671-1000** or fax **(202) 671-1929**. The web address is <http://www.does.dc.gov>